

**CIVIL COMPLAINT FORM TO BE USED BY A *PRO SE* PRISONER**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Tovar-Martinez V. # 23098-179, et al (see attachment)  
**Full Name of Plaintiff** **Inmate Number** : Sanchez #06704-104  
Velasquez Lopez # 10561-359  
Williams Bearden # 59366-298  
**Civil No.** \_\_\_\_\_  
 (to be filled in by the Clerk's Office)

Sis M. Clouser  
**Name of Defendant 1**

☐ Demand for Jury Trial  
☒ No Jury Trial Demand

Ltn. Geib - Sis  
**Name of Defendant 2**

Dr. Sage-T. Gubbiotti  
**Name of Defendant 3**

K. Ball - unit Manager  
**Name of Defendant 4**

Mrs. G - counselor  
**Name of Defendant 5**

(Print the names of all defendants. If the names of all  
 defendants do not fit in this space, you may attach  
 additional pages. Do not include addresses in this  
 section).

**FILED  
SCRANTON  
AUG 20 2020**

PER [Signature]  
 DEPUTY CLERK

**I. NATURE OF COMPLAINT**

Indicate below the federal legal basis for your claim, if known.

- ☐ Civil Rights Action under 42 U.S.C. § 1983 (state, county, or municipal defendants)  
☒ Civil Rights Action under Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388  
 (1971) (federal defendants)  
☒ Negligence Action under the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346, against the  
 United States \$10 Million dollars.

**II. ADDRESSES AND INFORMATION**

**A. PLAINTIFF**

Williams Bearden # 59366-298  
Tovar-Martinez, Victor # 23098-179

Name (Last, First, MI)

Delasquez Lopez & Sanchez # 06704-104

Inmate Number

Allenwood Low Special Housing Unit

Place of Confinement

P.O. Box 1000

Address

White Deer, PA 17887-1000

City, County, State, Zip Code

Indicate whether you are a prisoner or other confined person as follows:

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☒ Convicted and sentenced federal prisoner

**B. DEFENDANT(S)**

Provide the information below for each defendant. Attach additional pages if needed.

Make sure that the defendant(s) listed below are identical to those contained in the caption. If incorrect information is provided, it could result in the delay or prevention of service of the complaint.

Defendant 1:

Mrs. M. Clouser

Name (Last, First)

Sis Investigator

Current Job Title

FCC PO Box 1000 Lieutenant's office

Current Work Address

White Deer, PA 17887-1000

City, County, State, Zip Code

Defendant 2:

Geib, Mrs.

Name (Last, First)

Lieutenant of SIS Office

Current Job Title

FCC PO Box 1000 Captain's Office

Current Work Address

White Deer, PA 17887-1000

City, County, State, Zip Code

Defendant 3:

Dr. Sage - T. Gubbiotti - A.W.

Name (Last, First)

Warden Lieutenant's Office

Current Job Title

PO Box 1000

Current Work Address

White Deer, PA 17887-1000

City, County, State, Zip Code

Defendant 4:

K. Ball

Name (Last, First)

Unit Manager - Lycoming A

Current Job Title

P.O. Box 1000

Current Work Address

White Deer, PA 17887-1000

City, County, State, Zip Code

Defendant 5:

Mrs. G

Name (Last, First)

Counselor - Lycoming A

Current Job Title

P.O. Box 1000

Current Work Address

White Deer, PA 17887-1000

City, County, State, Zip Code

### III. STATEMENT OF FACTS

State only the facts of your claim below. Include all the facts you consider important. Attach additional pages if needed.

A. Describe where and when the events giving rise to your claim(s) arose.

3/11/2020 I was placed in Special Housing unit against my will. I was accused by an inmate of being racist & have been here ever since.

B. On what date did the events giving rise to your claim(s) occur?

March 11, 2020

C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what?)

Mrs. G Counselor placed me in Special Housing Unit based on lies reported by an inmate. My health is in danger as an inmate with COVID-19 has arrived here from Yazoo City Mississippi as well as other 18 inmates who came w/ him on the bus. I have a memo where the Warden don't want to give me a call. I have not been able to use the phone. Everyone gets 2 calls per month. This is false imprisonment against my will. I am not on Disciplinary or got a shot. No one will tell me why I've been here for over 6 months. No quarantine or transfer has been put on me either. So idk why am still in Special Housing.

enclosure: Copy of memo signed by Warden denying me phone usage.

I am denied my Administrative Remedies forms to file Complaint. I've requested it NUMEROUS times from Licensing Counselor, Unit Manager & unit case manager & no one responds.

**IV. LEGAL CLAIM(S)**

You are not required to make legal argument or cite any cases or statutes. However, state what constitutional rights, statutes, or laws you believe were violated by the above actions. If you intend to assert multiple claims, number and set forth each claim in separate paragraphs. Attach additional pages if needed.

My 8<sup>th</sup> Amendment right was violated by Cruel & Unusual punishment being placed in SHU against my will. Mrs. G. put me here, illegally...

Other inmates with phone shots, assault, fighting, & other severe incidents have been let out back to the compound but me.

Other inmates have been transfer to other prisons but me.

They keep saying COVID-19 but other inmates have been already transfer to other prisons but me.

Food has made my stomach sick & medical doesn't take care of me.

**V. INJURY**

Describe with specificity what injury, harm, or damages you suffered because of the events described above.

False imprisonment for so long at Special Housing Unit.

**VI. RELIEF**

State exactly what you want the court to do for you. For example, you may be seeking money damages, you may want the court to order a defendant to do something or stop doing something, or you may be seeking both types of relief. If you are seeking monetary relief, state your request generally. Do not request a specific amount of money.

This is a Class Action lawsuit for \$10 million dollars.  
Staff @ Allenwood low don't care & they do what they want.  
I want to be let out back to the compound & monetary compensation.

## VII. SIGNATURE

By signing this complaint, you represent to the court that the facts alleged are true to the best of your knowledge and are supported by evidence, that those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

Local Rule of Court 83.18 requires *pro se* plaintiffs to keep the court informed of their current address. If your address changes while your lawsuit is being litigated, you must immediately inform the court of the change in writing. By signing and submitting the complaint form, you agree to provide the Clerk's Office with any changes to your address where case-related papers may be served, and you acknowledge that your failure to keep a current address on file with the Clerk's Office may result in dismissal of your case.

Victor Tovar Martinez

Signature of Plaintiff Tovar Martinez # 23098-179.

August 17, 2020.

Date

SPECIAL NOTE TO THE Courts :

I want to advise the Court these people at Allenwood would retaliate & keep us in Special Housing Unit for years. I want to be protected by the Court from this happening to us.

This is our FREEDOM OF SPEECH, protected by the Constitution & shouldn't be retaliation from SIS @ Allenwood Low.



U.S. Department of Justice  
Memorandum  
Federal Bureau of Prisons

*Federal Correctional Complex, Allenwood*

*Low Security Correctional Institution  
P.O. Box 1500  
White Deer, PA 17887*

May 12, 2020

MEMORANDUM FOR *for* D. K. WHITE, WARDEN

THRU: T. Gubbiotti, Associate Warden

FROM: K. Ball, Unit Manager

SUBJECT: Consideration for Telephone Use

Due to the current pandemic effecting staff, inmates, and society at large, the Executive Staff at LSCI Allenwood will consider allowing inmates to use the phone while on restriction on a case by case basis. If approved, the inmate will be afforded thirty (30) minutes of phone use per month until the pandemic has subsided. Use of the phone will be conducted on the ITS System.

Inmate TOVAR-MARTINEZ, Victor, Register No.: 23098-179, Lycoming A Unit, is requesting to use the telephone while on restriction. He has been reviewed by his Unit Manager and due to the seriousness of his recent disciplinary history, telephone privileges are not recommended.

I concur with the recommendation:

*for*  
\_\_\_\_\_  
D. K. White, Warden

I do not concur with the recommendation:

\_\_\_\_\_  
D. K. White, Warden

cc: ITS  
Central File



#2

Plaintiff: Jesus Velasquez Lopez # 10561-359.

Facts: I have been @ Special Housing for over 9 months. I understand 3 months was my investigation & DS time. I'm still over 6 months of my punishment.

Date: 9 months ago

Underlying Claims: Supposedly because of COVID-19 I'm in Special Housing unit. This is incorrect because I've been designated since April 2020. A lot of inmates have left on transfer but me. My health is in danger as a COVID-19 inmate arrived with COVID-19 from Yazoo City, Mississippi. As well as the other 18 inmates who came on the bus with him.

This is false imprisonment & I feel discriminated against that a lot of inmates who came to SHU after me, have gone to other prisons & I am still here.

## SPECIAL NOTE:

I want to advise the Court these people at Allenwood would retaliate & keep us in Special Housing for years. I want to be protected by the Court from this happening to us.

This is our FREEDOM OF SPEECH, protection from Constitution & shouldn't be retaliation from SIS at Allenwood Low.



#2

Plaintiff: Jesus Velasquez - Lopez # 10561-359.

Legal Claims:

My 8<sup>th</sup> Amendment right is violated by Cruel & unusual punishment being placed in the SHU for such an excessive amount of time now over 6 months.

Other inmates have gone on transfer to other prisons but me. The COVID-19 excuse is a lie; again other inmates have already been transferred.

Injury: False imprisonment violating my 8<sup>th</sup> Amendment right against my will. Mrs. Clouser is to blame.

Relief: This Class Action Lawsuit for \$10 million Dollars. Staff @ Allenwood law whatever they want to do. They don't care about us inmates. I want monetary compensation & a transfer.

Signature: Jesus Velasquez # 10561-359

X Velasquez # 10561359

Dated: August 17, 2020.

#3

Plaintiff: Jaime Sánchez # 06704-104.

Statement of Facts: I was placed against my will in Special Housing due to a FAKE, false PREA filing.Date: June 16<sup>th</sup> 2020Facts: Sis Ltn. Geib placed me under the direction of another inmate, Lepi. The Shot caller from the Paisas. He's not even in the same unit as me so he has no idea what's really going on. Sis Ltn. Geib told me from the beginning the PREA was false because IF Alex Taylor was so afraid I'll suck his dick, why would he move in with me 2 weeks prior...

An inmate with COVID-19 came to the SHU along w/ 12 other inmates from Yago City, MS putting all of us in Special Housing @ risk of breathing COVID-19.

Am suing for false imprisonment. I am @ Special Housing for NO reason. Sis do whatever other inmates tell them to do. I'm being treated deliberately indifferent cause am gay!

Also, I told Sis Mario Morales threaten me &amp; wanted me transfer. Sis never put Mario Morales in SHU why only me? I didn't threaten anyone, I never did anything sexual with anyone. Sis found me innocent.

Why am I still in Special Housing? Now for 75 days I have been here. Mrs. Clouser is treating me deliberate indifferent by not placing Mario Morales in SHU.

SPECIAL NOTE:

I want to advice the Court these people in Allenwood would retaliate &amp; keep us in Special Housing for years. I want to be protected by the Court from this to happen to us. This is our FREEDOM of Speech &amp; shouldn't be No Retaliation!

#3

Plaintiff: Jaime Sanchez # 06704-104

Legal Claims:

My 8<sup>th</sup>. Amendment rights were violated for Cruel and unusual punishment. Am in SHU against my will. I didn't do anything.

Now Sis put me in for a transfer to get rid of me & shut me up. that's why am filing lawsuit because this is not right what Sis does here @ Allenwood. Lockup whoever they want. I want to be treated EQUAL! In this case Alex Taylor should have been placed in SHU for PREA investigation along w/me.

Mario Morales should have been placed in SHU also since he ~~threatens~~ me & wanted me transfer. Does Mario Morales owns Allenwood? That whatever he says goes? Mario Morales (Monterrey) should be placed in S.H.U. also.

Injury:

False imprisonment because no type of documentation was ever given to me when placed in Special Housing. Am here against my will & because inmates lying on me & Sis believing inmates & taking sides. Again, I am not being treated EQUAL. MRS. Clouser does whatever Paisas say.

Relief:

This is a Class Action Lawsuit for \$10 million Dollars. Staff @ Allenwood break all the rules & do whatever they want. I want to be let out back to the compound & monetary compensation. I want Mario Morales placed in Special Housing Unit also.

Signature:

Jaime Sanchez...  
8/17/2020.

# 06704-104.

#4

Plaintiff: Williams-Bearden #59366-298.

Statement of Facts:

I was placed against my will in Special Housing Unit against my will.

Date: May 20, 2020

Facts: Ltn. Geib has deliberate indifference against the LGBT Community. I spoke to Ltn. Geib & she didn't believe anything I told her. I am a transgender man to woman & am treated deliberate indifferent. SiS has something against the gay Community!

SPECIAL NOTE:

I want to advice the Court the people (staff) @ Allenwood would retaliate & keep us in Special Housing Unit for years.

I want to be protected by the Court from this to happen to us. gays. This is our FREEDOM of SPEECH, we the people are entitled to based on the Constitution & there shouldn't be No Retaliation by SiS!

Thank You; Your Honor!

#4

Plaintiff: Williams-Bearden # 59366-298.

Legal Claims:

My 8<sup>th</sup> Amendment Rights were violated for Guel & unusual punishment. Am in SHU against my will.

Now Sis wants to transfer me & shut my mouth. Am placing this lawsuit because transferring me is not the answer. Sis in Allenwood that's all they do is transfer people, especially if you're a transgender or LGBT member.

INJURY:

False imprisonment. Sis Ltn. Geib didn't believe me. She just threw me in Special Housing Unit like that's the answer...

BELIEF:

This is a Class Action Lawsuit for \$10 Million Dollars. Staff (& Sis) ~~are~~ break all the rules & do whatever they want. I want monetary compensation.

Signature:

William Bearden # 59366-298 8/17/2020.



Tovar Martinez #23098-171  
FCC Allenwood Low  
P.O. Box 1000 SHU Range 1  
White Deer, PA. 17887-1000.

RECEIVED  
SCRANTON

AUG 20 2020

PER

DEPUTY CLERK

Legal Mail.

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CP